ATTACHMENT - Remarks

In the following remarks, the issues are addressed in the order in which they were raised in the Office Action.

Claim Objections

   Claim 1 has been objected to because of certain informalities. Applicants gratefully acknowledge the Examiner's suggested amendments to overcome these objections and, by this amendment, have hereby adopted the proposed claim amendment, thereby obviating the objection to claim 1.

Claim Rejections – 35 U.S.C. 112

   Claims 1 and 4 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Specific issues with the identified claims have been identified on page 3, part 3 of the Office Action.

   It is respectfully submitted that the amendments to the claims submitted herewith address each of the specific issues, and, accordingly, withdrawal of the rejection of claims 1 and 4 under 35 U.S.C. 112, second paragraph, is respectfully requested.

Claim Rejections – 35 U.S.C. 103

   Claims 1–15 have been rejected under 35 U.S.C. 103 as being unpatentable over Candelore (U.S. Patent No. 6,697,489 B1) ("Candelore"). This rejection is respectfully traversed, although independent claims 1 and 14 have been amended to clarify certain distinctions from the prior art, as described below. The amendments are supported by at least paragraphs [0045] to [0052] of the published application.

 Claim 1

   Claim 1, as amended, recites a method for entering, disabling/erasing scrambled data access rights transmitted from a transmission center to at least one descrambling terminal to which is linked an access control module device equipped with a security processor, the method including, *inter alia,*

forming any access right entered in said access control module device as a set of independent variables comprising at least:

an access right identification variable corresponding to at least an identifier of the entered right and used to reference this right in the access criteria conveyed by the access control messages,

an entered access right action date variable indicating the date of entry of the right entered in the access control module when no operation has been performed on said right or the date of execution of the last subsequent operation performed on said right, and

a status variable which can have one of three encoded values signifying access right enabled, access right disabled, or access right erased;

forming said any access right with linked variables linked to said independent variables;

transmitting from said transmission center to each descrambling terminal and to the access control module device linked to said descrambling terminal at least one access right management message, said message comprising at least, in addition to an entered access right identification variable, an action date variable and a status assignment variable, the encoded value corresponding to an enabled access right, a disabled access right or an erased access right; and on receipt of said access right management message, at said access control module,

assigning said action date to the entered access right corresponding to the access right identification variable of said access right management message, and

allocating said status assignment variable corresponding to an enabled access right, a disabled access right or an erased access right to said status variable of said corresponding entered access right. (emphasis added.)

Advantageously, the subject invention improves prior art conditional access systems by making safe the access rights against replay procedures/operations of EMM messages and, thus, allows secured operations of change or erasure. As recited, the date of the update of the access right (*i.e.,* the "entered access right action date

variable") and its enabled/disabled/erased state (*i.e.*, the "status variable") are stored in a memory of the access control module device. The checking of an operation of update and its authorization are done by comparing the action date of the stored object to the action date of the EMM and the state of the stored object.

In contrast, Candelore relates to a method for securing control words (*e.g.*, control words transmitted in ECM messages), including receiving an encrypted control word in a descrambler integrated circuit, and decrypting the control word using a key stored in a register circuit of the descrambler integrated circuit. See: abstract.

It is acknowledged in the Office Action that "Candelore does not explicitly disclose forming any access right entered in said access control module as a set of independent variables and linked variables comprising at least, in addition to an access right identification variable, an entered access right action date variable and a status variable ....". However, it is alleged in the Office Action that Candelore does disclose, "access requirements for the program are compared to the entitlements that the conditional access unit actually has ... entitlements may state that the conditional access unit is entitled to view content ... entitlements may also include one or more keys ... entitlements also may define the time periods for which the conditional access unit may descramble programs [column 4. lines 50-65];" and "the Service Key may be valid for a certain period of time [column 8, lines 66-67]." From this, it is concluded that it would have been obvious to include "assigning said action date to the entered access right corresponding to the access right identification variable of said access right management message ... for the purpose of providing access control for subscriber content." This contention is respectfully traversed.

Initially, it is respectfully submitted that the "entitlements" of Candelore are not, as now recited in amended independent claim 1, entered in an access control module device as a set of independent variables comprising at least: an access right identification variable corresponding to at least an identifier of the entered right and used to reference this right in the access criteria conveyed by the access control messages; an entered access right action date variable indicating the date of entry of the right entered in the access control module when no operation has been performed

on said right or the date of execution of the last subsequent operation performed on said right; and a status variable which can have one of three encoded values signifying access right enabled, access right disabled, or access right erased. Additionally, it is respectfully submitted that the entitlements of Candelore do not include linked variables linked to said independent variables.

Further, with respect to the access right action date variable, it is respectfully submitted that the "validity time" disclosed in Candelore is not a teaching or a suggestion of an access right action date variable because a "period of validity" is different from a "<u>date of entry of the right entered in the access control module when no operation has been performed on said right or the date of execution of the last subsequent operation performed on said right</u>," as now recited in amended independent claim 1, and is used in an entirely different manner.

It is also acknowledged in the Office Action that Candelore does not explicitly disclose "assigning said action date to the entered access right corresponding to the access right identification variable of said access right management message." However, it is alleged that Candelore does suggest a validity time.

With respect to "assigning said action date to the entered access right corresponding to the access right identification variable of said access right management message," as recited in amended claim 1, it is respectfully submitted, as discussed above, that the "validity time" disclosed in Candelore is not a teaching or suggestion of the "action date" recited in amended claim 1. Correspondingly, the "validity period" of Candelore is not "assigned to an entered access right corresponding to the access right identification variable of the access right management message," as recited in amended claim 1.

Still further, it is alleged in the Office Action that Candelore discloses "allocating said status assignment variable corresponding to an enabled access right, a disabled access right or an erased access right to said status variable of said corresponding entered access right ... [column 4, lines 62-65]." This contention is also respectfully traversed.

In column 4, lines 62-65, Candelore discloses that "[t]he access requirements and entitlements thus form a part of the access control system to determine whether a decoder is authorized to view a particular program." It is respectfully submitted that this is not a teaching or suggestion of the aforementioned features recited in amended claim 1, because determining "whether a decoder is authorized to view a particular program" is not a teaching or suggestion of <u>allocating</u> a <u>status assignment variable</u> corresponding to an <u>enabled</u> access right, a <u>disabled</u> access right, or an <u>erased</u> access right <u>to the status variable of the corresponding entered access right</u>.

Thus, it is respectfully submitted that amended claim 1 is allowable over Candelore for at least the reasons described above.

Claims 2 – 13

Claims 2 – 13 depend from amended independent claim 1 and, therefore, are allowable for at least the reasons provided in support of the allowability of amended independent claim 1.

Claims 14-15

As amended, independent claim 14 recites an access control module device controlling access to scrambled data transmitted from a transmission center to at least one descrambling terminal to which is linked said access control module device, including, *inter alia*, entered in the memory of this access control module, at least one access right formed by a set of independent variables comprising at least: <u>an entered access right identification variable corresponding to at least an identifier of the entered right and used to reference this right in the access criteria conveyed by the access control messages; an entered access right action date variable indicating the date of entry of the right entered in the access control module when no operation has been performed on said right or the date of execution of the last subsequent operation performed on said right; and a status variable which can have one of three encoded values signifying access right enabled, access right disabled, or access right erased.</u>

The reasons discussed above with respect to "any access right entered in the access control module device" of amended independent claim 1 apply equally to the "at least one access right formed by a set of independent variables" recited in amended independent claim 14. Accordingly, favorable reconsideration and withdrawal of the rejection of now amended claim 14 are respectfully requested.

Claim 15 depends from amended claim 14 and is allowable over Candelore for at least the reasons that amended claim 14 is allowable over Candelore.

Conclusion

In light of the Amendments and Remarks, favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and phone number indicated below.

END OF REMARKS

Respectfully submitted,

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